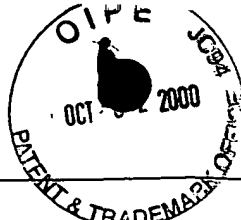


#3

**DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **VASCULAR ENDOTHELIAL GROWTH FACTOR DIMERS**; the specification of which was filed on **May 18, 2000** as Application Serial No. **09/575,199**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: **60/135,312**

Filing Date: **May 20, 1999**

Application No.: **60/177,407**

Filing Date: **January 20, 2000**

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Rodney Alan Jue**

Inventor's signature Rodney Alan Jue


Date 9/12/00

Residence: **7566 Denison Place, Castro Valley, CA 94552**

Citizenship: **U.S.A.**

Post Office Address: **Castro Valley, CA 94552**

Full name of Second inventor: **Ute Schellenberger**

Inventor's signature 

Date 9/12/00

Residence: **914 Moreno Avenue, Palo Alto, CA 94303**

Citizenship: **Germany**

Post Office Address: **Palo Alto, CA 94303**

Full name of Third inventor: **Peter A. Stathis**

Inventor's signature 

Date 9/12/00

Residence: **975 Florence Lane, Apt. F, Menlo Park, CA 94025**

Citizenship: **U.S.A.**

Post Office Address: **Menlo Park, CA 94025**

Full name of Fourth inventor: **Peter Isadore Adriaenssens**

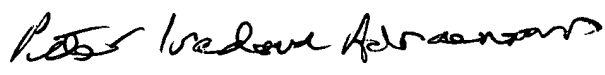
Inventor's signature 

Date 9/12/00

Residence: **1109 El Monte Avenue, Mountain View, CA 94040**

Citizenship: **U.S.A.**

Post Office Address: **Mountain View, CA 94040**



Full name of Fifth inventor: **Judith A. Abraham**

Inventor's signature *Judith A. Abraham*

Date 9/18/00

Residence: **4901 Country Lane, San Jose, CA 95129**

Citizenship: **U.S.A.**

Post Office Address: **San Jose, CA 95129**

Full name of Sixth inventor: **Patricia Ann Baldwin**

Inventor's signature *Patricia Ann Baldwin*

Date 9/12/00

Residence: **531 Torwood Lane, Los Altos, CA 94022**

Citizenship: **U.S.A.**

Post Office Address: **Los Altos, CA 94022**

Full name of Seventh inventor: **N. Stephen Pollitt**

Inventor's signature *N. Stephen Pollitt*

Date 8/31/05

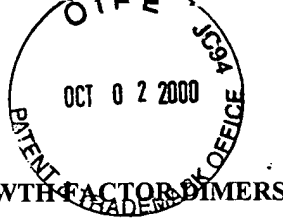
Residence: **1037 Campbell Avenue, Los Altos, CA 94024**

Citizenship: **U.S.A.**

Post Office Address: **Los Altos, CA 94024**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

Applicant or Patentee: Jue et al.
Application or Patent No.: 09/575,199
Filed or Issued: May 18, 2000
For: VASCULAR ENDOTHELIAL GROWTH FACTOR DIMERS



Attorney's Docket No.: SCIOS.010CP1
Page 1

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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS

I, the undersigned, do hereby declare that:

☒ I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Scios Inc.

ADDRESS OF CONCERN: 820 West Maude Avenue, Sunnyvale, California 94086

I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

FULL NAME: Scios Inc.

ADDRESS: 820 West Maude Avenue, Sunnyvale, California 94086

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: John Newman

TITLE OF PERSON (if not an owner or individual): Senior Vice President

ADDRESS OF PERSON SIGNING: 820 West Maude Avenue, Sunnyvale, California 94086

SIGNATURE: 
W:\DOCS\GRD\GRD-3137.DOC
081700

DATE: September 21, 2000